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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,182	06/27/2001	Francis Sykes	Q64932	9304

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EXAMINER

GELIN, JEAN ALLAND

ART UNIT PAPER NUMBER

2681

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/891,182

Applicant(s)

SYKES ET AL.

Examiner

Jean A Gelin

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-11 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 6 is objected to because of the following informalities: the acronym "etc.," should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linkola (WO 99/41927) in view of Alperovich et al. (US 6,233,448).

Regarding claim 1, Linkola teaches a method of managing the operation of a mobile terminal (MS) of a telecommunications network (fig. 1) as a function of the geographical position of that mobile terminal (page 1, lines 4-7), the network being divided into geographical cells each corresponding to the coverage area of a base station adapted to exchange data with the mobile terminal by radio, the position of the mobile terminal being defined continuously when it is in operation by location data that is a function of at least one base station (i.e., illustrated in fig. 1 is the network divided in many cells, typically as the MS is moving the location of the MS is being updated, page 11, lines 13-20), the method being of the type in which at least two separate geographical areas and at least one operating feature of the mobile terminal specific to

each area are defined (page 7, lines 24-29), wherein each area is geographically defined by location data that is a function of a set of base stations including at least one of the base stations contained in the area (page 11, line 13 to page 12, line 2), location data of the areas and operating features specific to the areas are stored in a memory of the mobile terminal (page 13, line 18 to page 14, line 10), location data of the mobile terminal is compared to the location data of the areas to deduce in which area the mobile terminal is located (page 13, line 18 to page 14, line 10).

Linkola does not specifically teach the operating feature specific to an area is applied as soon as the mobile terminal is located in that area.

However, the preceding limitation is known in the art of communications. Alperovich teaches automatically activating a feature based upon the current position of mobile station (col. 2, lines 4-40). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the technique of Alperovich within the system of Linkola in order to select actions associated with each particular location when the current position of the mobile station matched the preselected location stored within the mobile station, and provide a way to automatically forward calls to an appropriate directory number based upon the current position of a mobile station.

Regarding claim 2, Linkola in view of Alperovich teaches all the limitations above. Linkola further teaches wherein at least one area is defined by location data that is a function of a reference base station and at least one other base station in the environment of the reference base station (page 11, line 20 to page 12, line 23).

Regarding claims 3-5, Linkola in view of Alperovich teaches all the limitations above. Alperovich further teaches wherein the location data of the areas and the operating features specific to the areas are entered directly via the mobile terminal (i.e., upon a match of the current location and the preselected location at the mobile station, the feature is activated, col. 2, lines 1-40, col. 4, lines 26-33)

Regarding claim 6, Linkola in view of Alperovich teaches all the limitations above. Alperovich further teaches wherein the operating features of the mobile terminal concern adjusting an operating parameter of the mobile terminal as a function of its location, such as activating call forwarding, adjusting the local time (col. 3, lines 23-24, col. 4, line 33 to col. 5, line 20).

Regarding claim 7, Linkola in view of Alperovich teaches all the limitations above. Linkola further teaches wherein there is at least one area containing more than one base station (fig. 1).

Regarding claim 8, Linkola in view of Alperovich teaches all the limitations above. Alperovich further teaches wherein there is at least one area associated with a plurality of operating features of the mobile terminal specific to that area (col. 5, line 60 to col. 6, line 19).

Regarding claim 9, Linkola in view of Alperovich teaches all the limitations above. Alperovich further teaches wherein there are more than two areas associated with a plurality of operating features of the mobile terminal specific to those areas (col. 5, line 60 to col. 6, line 19).

Regarding claim 10, Linkola in view of Alperovich teaches all the limitations above. Alperovich further teaches wherein reference data and operating features of the mobile terminal corresponding to that reference data are also stored in a memory of the mobile terminal, data sent to the mobile terminal by the base station of the cell in which the mobile terminal is located is compared with the stored reference data, and the operating feature of the mobile terminal corresponding to the stored reference data is applied as soon as that reference data matches the data sent by the base station of the cell in which the mobile terminal is located (col. 2, lines 1-40).

Regarding claim 11, Linkola in view of Alperovich teaches all the limitations above. Alperovich further teaches wherein one operating feature of the mobile terminal concerns prohibition of modification by a user of data stored in the memory of the mobile terminal (col. 4, line 3 to col. 5, line 28).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Linkola (US 6,516,190) teaches calculating charge rate based on the location of the mobile station.

Raith (US 6,625,457) teaches mobile terminal with location database stored in the mobile station.

Dennison et al. (US 6,324,404) teaches cellular phone that uses position of a mobile unit to make call management.

Haumont et al. (US 6,584,314) teaches location management in a mobile telecommunication system).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (703) 305-4847. The examiner can normally be reached on 9:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika A Gary can be reached on (703) 308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEAN GELIN
PATENT EXAMINER

JGelin
April 18, 2004

Jean A Gelin